

Remarks/Arguments

Claims 1-7 and 9-24 are pending in the application. Claims 1-7 and 9-16 are rejected.

Rejection Under 35 USC §103(a)

Claims 1-3, 6, 7, and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady in view of Weiner. It is the Examiner's position that it would have been obvious to one skilled in the art to modify Brady to be conformable to a surface shape in view of the teachings of Weiner.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references must teach or suggest all of the claim limitations. The Examiner has failed to establish a *prima facie* case of obviousness because he has not pointed to anything in either Brady or Weiner that would provide a suggestion or motivation to make the proposed combination. Brady discloses a display device (seen most clearly in Figs. 5A and 5B) comprising a rigid display base board 41. Individual lighting components include a colored light bulb source 44 surrounded by a geometrically shaped, frosted, plastic, or glass diffuser cover 42, 43. Light bulb 44 is mounted in a conventional light socket 45 on the display board 41.

Brady does not disclose an object on or about which the display device 41 may conform to display visual representations of audio signals. Furthermore, Brady is not flexible and cannot conform to an object. Weiner discloses a flexible substrate display wherein all or a portion of the substrate may comprise a display area. However, mere disclosure of the flexible display by Weiner does not provide motivation to combine such disclosure with Brady and the Examiner has not pointed to anything in either Brady or Weiner that would provide a motivation to make

Page 7 - RESPONSE TO OFFICE ACTION DATED DECEMBER 30, 2003
Serial No. 09/966,610

the proposed combination. The second aspect of establishing a *prima facie* case of obviousness is that there must be a reasonable expectation of success. It is not clear how the Examiner's proposed combination would successfully result in the structure as recited in any of the pending claims. As seen most clearly in Figs. 5A and 5B of Brady, the light bulbs and corresponding covers extend outwardly from base board 41. Even if base board 41 were flexible the resulting display would not conform to an object because of the outwardly extending light bulbs and covers. It is also not clear from the Examiner's rejection whether or not he proposed to modify Brady by incorporating electric paper that employs twisted balls or cylinders as taught by Weiner. However, Applicant submits that, should this be the Examiner's position, the Examiner has failed to explain how such electronic paper could be successfully incorporated into the device of Brady. How would audio input line 11 of Brady connect to such electronic paper? Where or how would variable frequency clock 13 of Brady be incorporated, if at all? The Examiner has not explained how such a combination of Brady and Weiner could be successfully achieved. Finally, the combination of Brady and Weiner do not teach or suggest all of the claim limitations. As pointed out above, the combination of Brady and Weiner does not disclose an apparatus for displaying visual representations of audio signals on an object comprising a control unit for processing an input signal and performing an input signal to visual pattern conversion; and a display device for displaying the visual pattern, the device being conformable to a surface shape of the object.

Even though Applicant's claims, as previously presented, define over the combination of Brady and Weiner, claims 1, 9, 11, and 12 have been amended to define a display device for displaying a visual pattern wherein the device includes a generally planar light emitting layer that is conformable to a surface shape.

New dependent claims 17-24 are presented that define a device that includes a cathode layer, an anode layer, and a light emitting device between the cathode layer and anode layer

and that the device is an electroluminescence display device. Neither Brady nor Weiner disclose a display device that includes a cathode layer, an anode layer, and a light emitting device between the cathode layer and anode layer. The display device in Brady includes a rigid display base board 41 with individual lighting components. Weiner discloses a flexible substrate 20 with a display 32. The substrate 20 may be of a variety of materials, including paper or textile-based materials as described on page 2, paragraph 0026. The entire substrate 20 may be the display 32. The display 32 is in the form of electric paper employing twisted balls or cylinders or gyricons as described on page 2, paragraph 0027. There is no teaching or suggestion that the display 32 includes a cathode layer, an anode layer, and a light emitting device between the cathode layer and anode layer.

Therefore, since neither Brady nor Weiner disclose a display that includes a cathode layer, an anode layer, and a light emitting device between the cathode layer and anode layer, and that is conformable to a surface shape, Applicant submits that the proposed combination of Brady and Weiner would not result in the structure as now claimed in independent claims 17-24.

Claims 2, 3, 6, 7 depend either directly or indirectly from claim 1 and claim 10 depends from claim 9. Since neither Brady nor Weiner disclose a display as recited in independent claims 1 and 9, Applicant submits that dependent claims 2, 3, 6, 7, and 10 provide even further limitations to independent claims 1 and 9.

Claims 4, 5, and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady in view of Weiner and Lebby. The Examiner states that Lebby discloses an electronic book made of, for example, liquid crystal display technology, vacuum field emission device technology, or electro-luminescent technology. The Examiner then concludes that it would have been obvious to modify the combination of Brady and Weiner to use such technology as disclosed by Lebby. However, claims 4, 5, and 13-16 depend either directly or indirectly from claim 1. Since the proposed combination of Brady and Weiner would not result in a display as

recited in claim 1 as discussed above, Applicant's arguments regarding claim 1 are equally applicable to these dependent claims.

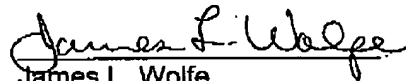
In view of the foregoing reasons for distinguishing over the cited references, Applicant has not raised other possible grounds for traversing the rejections, and therefore nothing herein should be deemed as acquiescence in any rejection or waiver of arguments not expressed herein.

CONCLUSION

Applicant submits that in view of the foregoing arguments and/or amendments, the application is in condition for allowance, and favorable action is respectfully requested. The Commissioner is hereby authorized to charge any fees, including extension fees, which may be required, or credit any overpayments, to Deposit Account No. 50-1001.

Respectfully submitted,

Date: March 2, 2004


James L. Wolfe
Registration No. 33,623
P. O. Box 10105
Portland, Oregon 97296
Telephone: (503) 224-2713
Facsimile: (503) 296-2172
email: brad@ganzlaw.com

Correspondence to:

Philips Intellectual Property & Standards
1109 McKay Drive; Mail Stop SJ41
San Jose, CA 95131 USA
Telephone: (408) 617-7700
Facsimile: (408) 617-4856
USPTO Customer Number: 24738

Page 10 - RESPONSE TO OFFICE ACTION DATED DECEMBER 30, 2003
Serial No. 09/966,610